

ORDINANCE NO. 2000 - 046

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (MODIFYING THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP TO ADD **QUADRILLE BOULEVARD** FROM OKEECHOBEE BOULEVARD TO DIXIE HIGHWAY, ADD **URBAN INTERCHANGES** ON SOUTHERN BOULEVARD AT JOG ROAD AND AT HAVERHILL ROAD, AND ADD **WEST PARK AVENUE** FROM OLD DIXIE HIGHWAY TO CONGRESS AVENUE; AND REVISE THE ELEMENT BY ADDING A POLICY TO CLARIFY THE COUNTY'S STATUTORY AUTHORITY TO BUILD NEEDED ROADWAYS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and 16, 2000 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1           WHEREAS, Palm Beach County received on October 4, 2000 the  
2 Department of Community Affairs "Objections, Recommendations, and  
3 Comments Report," dated September 29, 2000 which was the Department's  
4 written review of the proposed Comprehensive Plan amendments; and

5           WHEREAS, the written comments submitted by the Department of  
6 Community Affairs contained no objections to the amendments contained  
7 in this ordinance;

8           WHEREAS, on December 6, 2000 the Palm Beach County Board of County  
9 Commissioners held a public hearing to review the written comments  
10 submitted by the Department of Community Affairs and to consider  
11 adoption of the amendments; and

12           WHEREAS, the Palm Beach County Board of County Commissioners has  
13 determined that the amendments comply with all requirements of the  
14 Local Government Comprehensive Planning and Land Development  
15 Regulations Act.

16           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18           Part I. Amendments to the 1989 Comprehensive Plan

19           Amendments to the following Element of the 1989 Comprehensive Plan  
20 are hereby adopted and attached to this Ordinance in Exhibit 1:

- 21           A.    **Transportation Element, Thoroughfare Right-of-Way Identification**  
22               **Map**, to add Quadrille Boulevard from Okeechobee Boulevard to  
23               Dixie Highway, add urban interchanges on Southern Boulevard  
24               at Jog Road and at Haverhill Road, and add West Park Avenue  
25               from Old Dixie Highway to Congress Avenue;  
26           B.    **Transportation Element**, to add a policy to clarify the County's  
27               statutory authority to build needed roadways;  
28           C.    And amending all elements as necessary for internal  
29               consistency.

30           Part II. Repeal of Laws in Conflict

31           All local laws and ordinances applying to the unincorporated area  
32 of Palm Beach County in conflict with any provision of this ordinance  
33 are hereby repealed to the extent of such conflict.

1                    Part III. Severability

2                    If any section, paragraph, sentence, clause, phrase, or word of  
3                    this Ordinance is for any reason held by the Court to be  
4                    unconstitutional, inoperative or void, such holding shall not affect  
5                    the remainder of this Ordinance.

6                    Part IV. Inclusion in the 1989 Comprehensive Plan

7                    The provision of this Ordinance shall become and be made a part  
8                    of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
9                    Ordinance may be renumbered or relettered to accomplish such, and the  
10                   word "ordinance" may be changed to "section," "article," or any other  
11                   appropriate word.

12                   Part V. Effective Date

13                   The effective date of this plan amendment shall be the date a  
14                   final order is issued by the Department of Community Affairs or  
15                   Administration Commission finding the amendment in compliance in  
16                   accordance with Section 163.3184, Florida Statutes, whichever occurs  
17                   earlier. No development orders, development permits, or land uses  
18                   dependent on this amendment may be issued or commence before it has  
19                   become effective. If a final order of noncompliance is issued by the  
20                   Administration Commission, this amendment may nevertheless be made  
21                   effective by adoption of a resolution affirming its effective status,  
22                   a copy of which resolutions shall be sent to the Department of

1 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak  
2 Boulevard  
3 Tallahassee, Florida 32399-2100.

4 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm  
5 Beach County, on the 6 day of December, 2000.

6 ATTEST:  
7 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

8 By: Joan Hewer  
9 Deputy Clerk

By W. J. J. J.  
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
COUNTY ATTORNEY

13 Filed with the Department of State on the 12th day  
14 of December, 2000.

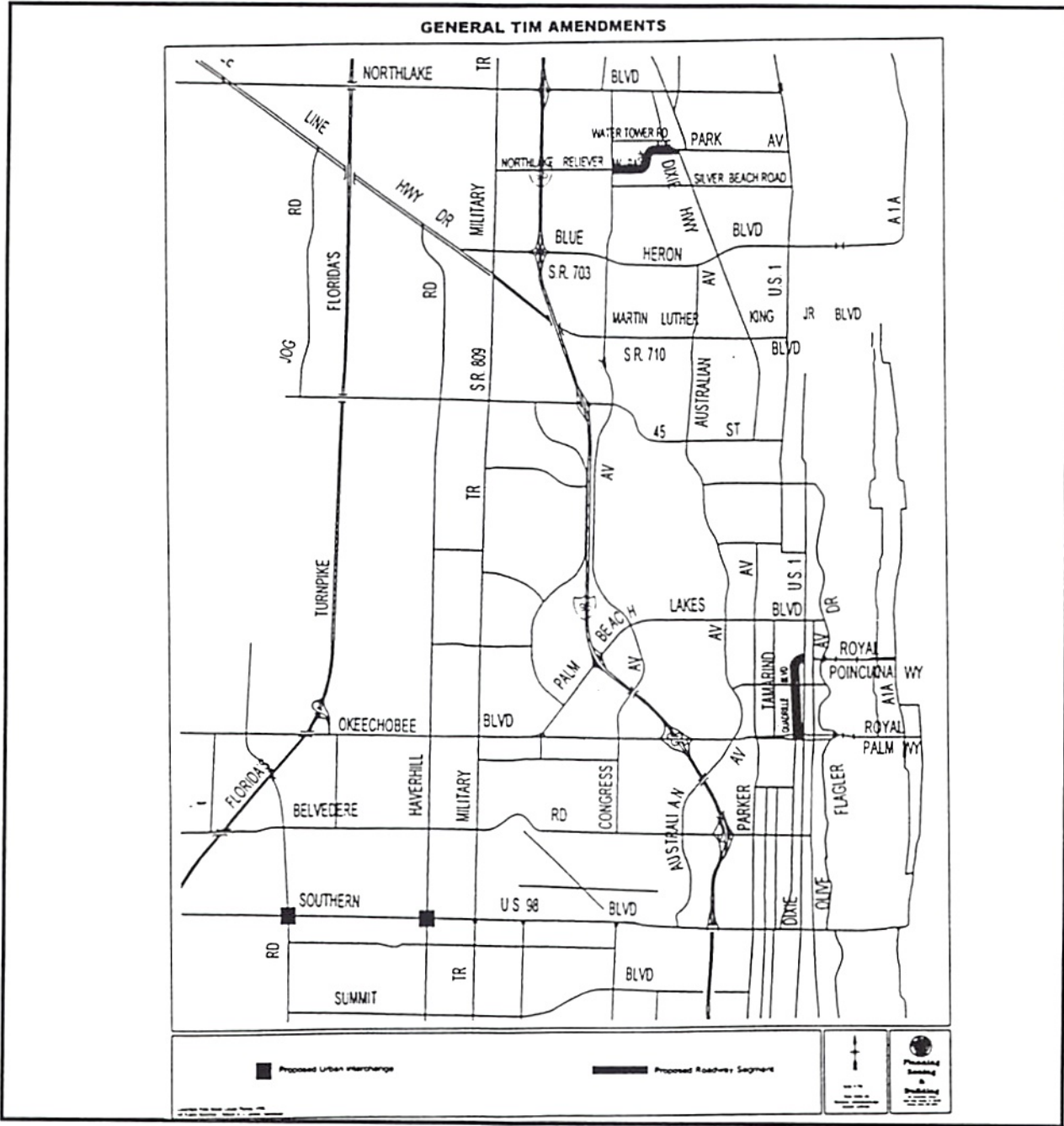
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EXHIBIT 1

- A. **Transportation Element, Thoroughfare Right-of-way Identification Map**, to revise with regards to Quadrille Boulevard, urban interchanges on Southern Boulevard at Jog Road and at Haverhill Road, and West Park Avenue.

**REVISIONS:** Add Quadrille Boulevard from Okeechobee Boulevard to Dixie Highway as a 100 foot right-of-way, add urban interchanges on Southern Boulevard at Jog Road and at Haverhill Road, and add West Park Avenue from Old Dixie Highway to Congress Avenue as a 60 foot right-of-way.



B. Transportation Element, Thoroughfare Right of Way Identification Map

REVISIONS: To add a policy to clarify the County's statutory authority to build needed roadways. The revisions are shown below with the added text underlined.

Goals, Objectives , and Policies Section

1. **NEW - Policy 1.4-t:** Pursuant to s. 336.02, Florida Statutes, Palm Beach County reserves the authority to provide needed transportation corridors as depicted on its Thoroughfare Right-of-Way Identification Map to ensure the efficient functioning of the County road transportation network. Recognizing that conflict can arise among local governments regarding roadway issues, Palm Beach County commits to coordinating with affected local governments in an effort to ensure that the roadway network planning processes result in appropriate input from affected local governments.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on December 6, 2000.  
DATED at West Palm Beach, FL on 12/19/00.  
DOROTHY H. WILKEN, Clerk  
By: Wane Brown D.C